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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,460	12/12/2003	Vilas M. Chopdekar	JFCT-1-03 (CIP)	9696

7590

05/21/2007

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EXAMINER
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PADMANABHAN, SREENIVASAN

ART UNIT	PAPER NUMBER
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1617

DATE MAILED: 05/21/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

The request for deferral/suspension of action under 37 CFR 1.103 has been approved.



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MAY 21 2007

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In re Application of :  
Vilas M. Chopdekar et al :  
Serial No.: 10/734,460 : SUSPENSION OF ACTION  
Filed: December 12, 2003 :  
Attorney Docket No.: JFCT-1-03 :

This is in reply to the renewed petition under 37 CFR 1.103 to suspend action in this application at applicant's request for a period of six months, filed March 21, 2007.

BACKGROUND

Applicants request prosecution in this application be suspended for an additional period of up to six months in order to conduct and complete experiments designed to overcome a reference applied against the claims. Delay in conducting the experiments has been occasioned by the need to obtain approval for purchase of controlled substances used in the experiments from the Drug Enforcement Agency (DEA).

DISCUSSION

**§ 1.103 Suspension of action by the Office.**

- (a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:
- (1) A showing of good and sufficient cause for suspension of action; and
  - (2) The fee set forth in § 1.17(h), unless such cause is the fault of the Office.

Applicants have replied to the best of their ability to the outstanding Office action and indicated in their response that additional testing is needed to demonstrate that the compounds taught by the references, GB '609 specifically, are different from those claimed. In order to make such demonstration the compounds of GB '609 must be prepared and in order to make such preparations specific controlled substances must be acquired. Permission to acquire research quantities of the controlled substances had been granted by the DEA, but the time period for acquisition expired before a dealer could be located and the purchase made. The request has now been renewed with the DEA and is expected to be granted shortly. Applicants present

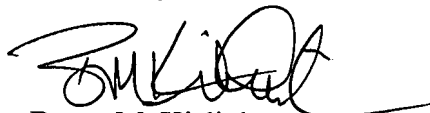
evidence of their efforts to obtain the required permission and substances. Applicants have shown good and sufficient cause for suspending prosecution in this application again.

#### DECISION

In view of the above the petition for suspension of action is **GRANTED** for an additional period of six months from the date of mailing of this decision.

**Should applicants complete their testing prior to the expiration of the period of suspension, a submission of the results should be promptly forwarded to the Office so that prosecution may be resumed.**

Should there be any questions with respect to this action, please contact the examiner or William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at Office general facsimile number, 571-273-8300.

A handwritten signature in black ink, appearing to read 'B. Kisliuk', with a stylized flourish extending from the end.

Bruce M. Kisliuk  
Director, Technology Center 1600